

SB0514



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0514

Introduced 2/8/2007, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

625 ILCS 5/15-111
625 ILCS 5/15-301

from Ch. 95 1/2, par. 15-111
from Ch. 95 1/2, par. 15-301

Amends the Illinois Vehicle Code. Provides that, during a towing operation, (i) no weight limit applies to a triple rear axle on a manufactured recovery unit and (ii) neither the towed vehicle nor the combination of vehicles (rather than neither the disabled vehicle nor the disabled combination of vehicles) may exceed the weight limitations imposed by the Code or by a permit issued by the Department of Transportation.

LRB095 04519 DRH 27857 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 15-111 and 15-301 as follows:

6 (625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

7 Sec. 15-111. Wheel and axle loads and gross weights.

8 (a) On non-designated highways, no vehicle or combination
9 of vehicles equipped with pneumatic tires may be operated,
10 unladen or with load, when the total weight transmitted to the
11 road surface exceeds 18,000 pounds on a single axle or 32,000
12 pounds on a tandem axle with no axle within the tandem
13 exceeding 18,000 pounds except:

14 (1) when a different limit is established and posted in
15 accordance with Section 15-316 of this Code;

16 (2) vehicles for which the Department of
17 Transportation and local authorities issue overweight
18 permits under authority of Section 15-301 of this Code;

19 (3) tow trucks subject to the conditions provided in
20 subsection (d) may not exceed 24,000 pounds on a single
21 rear axle or 44,000 pounds on a tandem rear axle;

22 (4) any single axle of a 2-axle truck weighing 36,000
23 pounds or less and not a part of a combination of vehicles,

1 shall not exceed 20,000 pounds;

2 (5) any single axle of a 2-axle truck equipped with a
3 personnel lift or digger derrick, weighing 36,000 pounds or
4 less, owned and operated by a public utility, shall not
5 exceed 20,000 pounds;

6 (6) any single axle of a 2-axle truck specially
7 equipped with a front loading compactor used exclusively
8 for garbage, refuse, or recycling may not exceed 20,000
9 pounds per axle, provided that the gross weight of the
10 vehicle does not exceed 40,000 pounds;

11 (7) a truck, not in combination and specially equipped
12 with a selfcompactor or an industrial roll-off hoist and
13 roll-off container, used exclusively for garbage or refuse
14 operations may, when laden, transmit upon the road surface
15 the following maximum weights: 22,000 pounds on a single
16 axle; 40,000 pounds on a tandem axle;

17 (8) a truck, not in combination and used exclusively
18 for the collection of rendering materials, may, when laden,
19 transmit upon the road surface the following maximum
20 weights: 22,000 pounds on a single axle; 40,000 pounds on a
21 tandem axle;

22 (9) tandem axles on a 3-axle truck registered as a
23 Special Hauling Vehicle, manufactured prior to or in the
24 model year of 2014 and first registered in Illinois prior
25 to January 1, 2015, with a distance greater than 72 inches
26 but not more than 96 inches between any series of 2 axles,

1 is allowed a combined weight on the series not to exceed
2 36,000 pounds and neither axle of the series may exceed
3 18,000 pounds. Any vehicle of this type manufactured after
4 the model year of 2014 or first registered in Illinois
5 after December 31, 2014 may not exceed a combined weight of
6 32,000 pounds through the series of 2 axles and neither
7 axle of the series may exceed 18,000 pounds;

8 (10) a 4-axle truck mixer registered as a Special
9 Hauling Vehicle, used exclusively for the mixing and
10 transportation of concrete in the plastic state and
11 manufactured prior to or in the model year of 2014 and
12 first registered in Illinois prior to January 1, 2015, is
13 allowed the following maximum weights: 20,000 pounds on any
14 single axle; 36,000 pounds on any series of 2 axles greater
15 than 72 inches but not more than 96 inches; and 34,000
16 pounds on any series of 2 axles greater than 40 inches but
17 not more than 72 inches;

18 (11) 4-axle vehicles or a 5 or more axle combination of
19 vehicles: The weight transmitted upon the road surface
20 through any series of 3 axles whose centers are more than
21 96 inches apart, measured between extreme axles in the
22 series, may not exceed those allowed in the table contained
23 in subsection (f) of this Section. No axle or tandem axle
24 of the series may exceed the maximum weight permitted under
25 this Section for a single or tandem axle.

26 No vehicle or combination of vehicles equipped with other

1 than pneumatic tires may be operated, unladen or with load,
 2 upon the highways of this State when the gross weight on the
 3 road surface through any wheel exceeds 800 pounds per inch
 4 width of tire tread or when the gross weight on the road
 5 surface through any axle exceeds 16,000 pounds.

6 (b) On non-designated highways, the gross weight of
 7 vehicles and combination of vehicles including the weight of
 8 the vehicle or combination and its maximum load shall be
 9 subject to the foregoing limitations and further shall not
 10 exceed the following gross weights dependent upon the number of
 11 axles and distance between extreme axles of the vehicle or
 12 combination measured longitudinally to the nearest foot.

13 VEHICLES HAVING 2 AXLES 36,000 pounds

14 VEHICLES OR COMBINATIONS

15 HAVING 3 AXLES

16	With Tandem		With or	
17	Axles		Without	
18			Tandem Axles	
19	Minimum		Minimum	
20	distance to	Maximum	distance to	Maximum
21	nearest foot	Gross	nearest foot	Gross
22	between	Weight	between	Weight
23	extreme axles	(pounds)	extreme axles	(pounds)
24	10 feet	41,000	16 feet	46,000

1 COMBINATIONS HAVING 5 OR MORE AXLES

2	Minimum distance to	Maximum
3	nearest foot between	Gross Weight
4	extreme axles	(pounds)
5	42 feet or less	72,000
6	43	73,000
7	44 feet or more	73,280

8 VEHICLES OPERATING ON CRAWLER TYPE TRACKS 40,000 pounds

9 TRUCKS EQUIPPED WITH SELFCOMPACTORS

10 OR ROLL-OFF HOISTS AND ROLL-OFF CONTAINERS FOR GARBAGE,

11 REFUSE, OR RECYCLING HAULS ONLY AND TRUCKS USED FOR

12 THE COLLECTION OF RENDERING MATERIALS

13 On Highway Not Part of National System

14 of Interstate and Defense Highways

15 with 2 axles 36,000 pounds

16 with 3 axles 54,000 pounds

17 TWO AXLE TRUCKS EQUIPPED WITH

18 A FRONT LOADING COMPACTOR USED EXCLUSIVELY

19 FOR THE COLLECTION OF GARBAGE, REFUSE, OR RECYCLING

20 with 2 axles 40,000 pounds

21 A 4-axle truck mixer registered as a Special Hauling

1 Vehicle, used exclusively for mixing and transportation of
2 concrete in the plastic state, manufactured before or in the
3 model year of 2014, and first registered in Illinois before
4 January 1, 2015, is allowed a maximum gross weight listed in
5 the table of subsection (f) of this Section for 4 axles. This
6 vehicle, while loaded with concrete in the plastic state, is
7 not subject to the series of 3 axles requirement provided for
8 in subdivision (a)(11) of this Section, but no axle or tandem
9 axle of the series may exceed the maximum weight permitted
10 under subdivision (a)(10) of this Section.

11 (b-1) As used in this Section, a "recycling haul" or
12 "recycling operation" means the hauling of segregated,
13 non-hazardous, non-special, homogeneous non-putrescible
14 materials, such as paper, glass, cans, or plastic, for
15 subsequent use in the secondary materials market.

16 (c) Cities having a population of more than 50,000 may
17 permit by ordinance axle loads on 2 axle motor vehicles 33 1/2%
18 above those provided for herein, but the increase shall not
19 become effective until the city has officially notified the
20 Department of the passage of the ordinance and shall not apply
21 to those vehicles when outside of the limits of the city, nor
22 shall the gross weight of any 2 axle motor vehicle operating
23 over any street of the city exceed 40,000 pounds.

24 (d) Weight limitations shall not apply to vehicles
25 (including loads) operated by a public utility when
26 transporting equipment required for emergency repair of public

1 utility facilities or properties or water wells.

2 A combination of vehicles, including a tow truck and a
3 disabled vehicle or disabled combination of vehicles, that
4 exceeds the weight restriction imposed by this Code, may be
5 operated on a public highway in this State provided that
6 neither the disabled vehicle nor any vehicle being towed nor
7 the tow truck itself shall exceed the weight limitations
8 permitted under this Chapter. During the towing operation,
9 neither the tow truck nor the vehicle combination shall exceed
10 24,000 pounds on a single rear axle and 44,000 pounds on a
11 tandem rear axle, or 56,000 pounds on manufactured recovery
12 units with a triple rear axle, except that triple-axle rotator
13 tow-trucks are exempt from this weight limitation, provided the
14 towing vehicle:

15 (1) is specifically designed as a tow truck having a
16 gross vehicle weight rating of at least 18,000 pounds and
17 is equipped with air brakes, provided that air brakes are
18 required only if the towing vehicle is towing a vehicle,
19 semitrailer, or tractor-trailer combination that is
20 equipped with air brakes;

21 (2) is equipped with flashing, rotating, or
22 oscillating amber lights, visible for at least 500 feet in
23 all directions;

24 (3) is capable of utilizing the lighting and braking
25 systems of the disabled vehicle or combination of vehicles;
26 and

1 (4) does not engage in a tow exceeding 20 miles from
2 the initial point of wreck or disablement. Any additional
3 movement of the vehicles may occur only upon issuance of
4 authorization for that movement under the provisions of
5 Sections 15-301 through 15-319 of this Code. The towing
6 vehicle, however, may tow any disabled vehicle from the
7 initial point of wreck or disablement to a point where
8 repairs are actually to occur. This movement shall be valid
9 only on State routes. The tower must abide by posted bridge
10 weight limits.

11 Gross weight limits shall not apply to the combination of
12 the tow truck and vehicles being towed. The tow truck license
13 plate must cover the operating empty weight of the tow truck
14 only. The weight of each vehicle being towed shall be covered
15 by a valid license plate issued to the owner or operator of the
16 vehicle being towed and displayed on that vehicle. If no valid
17 plate issued to the owner or operator of that vehicle is
18 displayed on that vehicle, or the plate displayed on that
19 vehicle does not cover the weight of the vehicle, the weight of
20 the vehicle shall be covered by the third tow truck plate
21 issued to the owner or operator of the tow truck and
22 temporarily affixed to the vehicle being towed.

23 The Department may by rule or regulation prescribe
24 additional requirements. However, nothing in this Code shall
25 prohibit a tow truck under instructions of a police officer
26 from legally clearing a disabled vehicle, that may be in

1 violation of weight limitations of this Chapter, from the
2 roadway to the berm or shoulder of the highway. If in the
3 opinion of the police officer that location is unsafe, the
4 officer is authorized to have the disabled vehicle towed to the
5 nearest place of safety.

6 For the purpose of this subsection, gross vehicle weight
7 rating, or GVWR, shall mean the value specified by the
8 manufacturer as the loaded weight of the tow truck.

9 (e) No vehicle or combination of vehicles equipped with
10 pneumatic tires shall be operated, unladen or with load, upon
11 the highways of this State in violation of the provisions of
12 any permit issued under the provisions of Sections 15-301
13 through 15-319 of this Chapter.

14 (f) On designated Class I, II, or III highways and the
15 National System of Interstate and Defense Highways, no vehicle
16 or combination of vehicles with pneumatic tires may be
17 operated, unladen or with load, when the total weight on the
18 road surface exceeds the following: 20,000 pounds on a single
19 axle; 34,000 pounds on a tandem axle with no axle within the
20 tandem exceeding 20,000 pounds; 80,000 pounds gross weight for
21 vehicle combinations of 5 or more axles; or a total weight on a
22 group of 2 or more consecutive axles in excess of that weight
23 produced by the application of the following formula: $W = 500$
24 times the sum of $(LN \text{ divided by } N-1) + 12N + 36$, where "W"
25 equals overall total weight on any group of 2 or more
26 consecutive axles to the nearest 500 pounds, "L" equals the

1 distance measured to the nearest foot between extremes of any
 2 group of 2 or more consecutive axles, and "N" equals the number
 3 of axles in the group under consideration.

4 The above formula when expressed in tabular form results in
 5 allowable loads as follows:

6	Distance measured					
7	to the nearest					
8	foot between the					
9	extremes of any		Maximum weight in pounds			
10	group of 2 or		of any group of			
11	more consecutive		2 or more consecutive axles			
12	axles					
13	feet	2 axles	3 axles	4 axles	5 axles	6 axles
14	4	34,000				
15	5	34,000				
16	6	34,000				
17	7	34,000				
18	8	38,000*	42,000			
19	9	39,000	42,500			
20	10	40,000	43,500			
21	11		44,000			
22	12		45,000	50,000		
23	13		45,500	50,500		
24	14		46,500	51,500		
25	15		47,000	52,000		

1	16	48,000	52,500	58,000	
2	17	48,500	53,500	58,500	
3	18	49,500	54,000	59,000	
4	19	50,000	54,500	60,000	
5	20	51,000	55,500	60,500	66,000
6	21	51,500	56,000	61,000	66,500
7	22	52,500	56,500	61,500	67,000
8	23	53,000	57,500	62,500	68,000
9	24	54,000	58,000	63,000	68,500
10	25	54,500	58,500	63,500	69,000
11	26	55,500	59,500	64,000	69,500
12	27	56,000	60,000	65,000	70,000
13	28	57,000	60,500	65,500	71,000
14	29	57,500	61,500	66,000	71,500
15	30	58,500	62,000	66,500	72,000
16	31	59,000	62,500	67,500	72,500
17	32	60,000	63,500	68,000	73,000
18	33		64,000	68,500	74,000
19	34		64,500	69,000	74,500
20	35		65,500	70,000	75,000
21	36		66,000	70,500	75,500
22	37		66,500	71,000	76,000
23	38		67,500	72,000	77,000
24	39		68,000	72,500	77,500
25	40		68,500	73,000	78,000
26	41		69,500	73,500	78,500

1	42	70,000	74,000	79,000
2	43	70,500	75,000	80,000
3	44	71,500	75,500	
4	45	72,000	76,000	
5	46	72,500	76,500	
6	47	73,500	77,500	
7	48	74,000	78,000	
8	49	74,500	78,500	
9	50	75,500	79,000	
10	51	76,000	80,000	
11	52	76,500		
12	53	77,500		
13	54	78,000		
14	55	78,500		
15	56	79,500		
16	57	80,000		

17 *If the distance between 2 axles is 96 inches or less, the 2
18 axles are tandem axles and the maximum total weight may not
19 exceed 34,000 pounds, notwithstanding the higher limit
20 resulting from the application of the formula.

21 Vehicles not in a combination having more than 4 axles may
22 not exceed the weight in the table in this subsection (f) for 4
23 axles measured between the extreme axles of the vehicle.

24 Vehicles in a combination having more than 6 axles may not
25 exceed the weight in the table in this subsection (f) for 6
26 axles measured between the extreme axles of the combination.

1 Local authorities, with respect to streets and highways
2 under their jurisdiction, without additional fees, may also by
3 ordinance or resolution allow the weight limitations of this
4 subsection, provided the maximum gross weight on any one axle
5 shall not exceed 20,000 pounds and the maximum total weight on
6 any tandem axle shall not exceed 34,000 pounds, on designated
7 highways when appropriate regulatory signs giving notice are
8 erected upon the street or highway or portion of any street or
9 highway affected by the ordinance or resolution.

10 The following are exceptions to the above formula:

11 (1) Two consecutive sets of tandem axles may carry a
12 total weight of 34,000 pounds each if the overall distance
13 between the first and last axles of the consecutive sets of
14 tandem axles is 36 feet or more.

15 (2) Vehicles for which a different limit is established
16 and posted in accordance with Section 15-316 of this Code.

17 (3) Vehicles for which the Department of
18 Transportation and local authorities issue overweight
19 permits under authority of Section 15-301 of this Code.
20 These vehicles are not subject to the bridge formula.

21 (4) Tow trucks subject to the conditions provided in
22 subsection (d) may not exceed 24,000 pounds on a single
23 rear axle or 44,000 pounds on a tandem rear axle.

24 (5) A tandem axle on a 3-axle truck registered as a
25 Special Hauling Vehicle, manufactured prior to or in the
26 model year of 2014, and registered in Illinois prior to

1 January 1, 2015, with a distance between 2 axles in a
2 series greater than 72 inches but not more than 96 inches
3 may not exceed a total weight of 36,000 pounds and neither
4 axle of the series may exceed 18,000 pounds.

5 (6) A truck not in combination, equipped with a self
6 compactor or an industrial roll-off hoist and roll-off
7 container, used exclusively for garbage, refuse, or
8 recycling operations, may, when laden, transmit upon the
9 road surface, except when on part of the National System of
10 Interstate and Defense Highways, the following maximum
11 weights: 22,000 pounds on a single axle; 40,000 pounds on a
12 tandem axle; 36,000 pounds gross weight on a 2-axle
13 vehicle; 54,000 pounds gross weight on a 3-axle vehicle.
14 This vehicle is not subject to the bridge formula.

15 (7) Combinations of vehicles, registered as Special
16 Hauling Vehicles that include a semitrailer manufactured
17 prior to or in the model year of 2014, and registered in
18 Illinois prior to January 1, 2015, having 5 axles with a
19 distance of 42 feet or less between extreme axles, may not
20 exceed the following maximum weights: 18,000 pounds on a
21 single axle; 32,000 pounds on a tandem axle; and 72,000
22 pounds gross weight. This combination of vehicles is not
23 subject to the bridge formula. For all those combinations
24 of vehicles that include a semitrailer manufactured after
25 the effective date of this amendatory Act of the 92nd
26 General Assembly, the overall distance between the first

1 and last axles of the 2 sets of tandems must be 18 feet 6
2 inches or more. Any combination of vehicles that has had
3 its cargo container replaced in its entirety after December
4 31, 2014 may not exceed the weights allowed by the bridge
5 formula.

6 (8) A 4-axle truck mixer registered as a Special
7 Hauling Vehicle, used exclusively for the mixing and
8 transportation of concrete in the plastic state,
9 manufactured before or in the model year of 2014, first
10 registered in Illinois before January 1, 2015, and not
11 operated on a highway that is part of the National System
12 of Interstate Highways, is allowed the following maximum
13 weights: 20,000 pounds on any single axle; 36,000 pounds on
14 a series of axles greater than 72 inches but not more than
15 96 inches; and 34,000 pounds on any series of 2 axles
16 greater than 40 inches but not more than 72 inches. The
17 gross weight of this vehicle may not exceed the weights
18 allowed by the bridge formula for 4 axles. The bridge
19 formula does not apply to any series of 3 axles while the
20 vehicle is transporting concrete in the plastic state, but
21 no axle or tandem axle of the series may exceed the maximum
22 weight permitted under this subsection (f).

23 No vehicle or combination of vehicles equipped with other
24 than pneumatic tires may be operated, unladen or with load,
25 upon the highways of this State when the gross weight on the
26 road surface through any wheel exceeds 800 pounds per inch

1 width of tire tread or when the gross weight on the road
2 surface through any axle exceeds 16,000 pounds.

3 (f-1) A vehicle and load not exceeding 73,280 pounds is
4 allowed access as follows:

5 (1) From any State designated highway onto any county,
6 township, or municipal highway for a distance of 5 highway
7 miles for the purpose of loading and unloading, provided:

8 (A) The vehicle and load does not exceed 8 feet 6
9 inches in width and 65 feet overall length.

10 (B) There is no sign prohibiting that access.

11 (C) The route is not being used as a thoroughfare
12 between State designated highways.

13 (2) From any State designated highway onto any county
14 or township highway for a distance of 5 highway miles, or
15 any municipal highway for a distance of one highway mile
16 for the purpose of food, fuel, repairs, and rest, provided:

17 (A) The vehicle and load does not exceed 8 feet 6
18 inches in width and 65 feet overall length.

19 (B) There is no sign prohibiting that access.

20 (C) The route is not being used as a thoroughfare
21 between State designated highways.

22 (f-2) A vehicle and load greater than 73,280 pounds in
23 weight but not exceeding 80,000 pounds is allowed access as
24 follows:

25 (1) From a Class I highway onto any street or highway
26 for a distance of one highway mile for the purpose of

1 loading, unloading, food, fuel, repairs, and rest,
2 provided there is no sign prohibiting that access.

3 (2) From a Class I, II, or III highway onto any State
4 highway or any local designated highway for a distance of 5
5 highway miles for the purpose of loading, unloading, food,
6 fuel, repairs, and rest.

7 Section 5-35 of the Illinois Administrative Procedure Act
8 relating to procedures for rulemaking shall not apply to the
9 designation of highways under this subsection.

10 (g) No person shall operate a vehicle or combination of
11 vehicles over a bridge or other elevated structure constituting
12 part of a highway with a gross weight that is greater than the
13 maximum weight permitted by the Department, when the structure
14 is sign posted as provided in this Section.

15 (h) The Department upon request from any local authority
16 shall, or upon its own initiative may, conduct an investigation
17 of any bridge or other elevated structure constituting a part
18 of a highway, and if it finds that the structure cannot with
19 safety to itself withstand the weight of vehicles otherwise
20 permissible under this Code the Department shall determine and
21 declare the maximum weight of vehicles that the structures can
22 withstand, and shall cause or permit suitable signs stating
23 maximum weight to be erected and maintained before each end of
24 the structure. No person shall operate a vehicle or combination
25 of vehicles over any structure with a gross weight that is
26 greater than the posted maximum weight.

1 (i) Upon the trial of any person charged with a violation
2 of subsections (g) or (h) of this Section, proof of the
3 determination of the maximum allowable weight by the Department
4 and the existence of the signs, constitutes conclusive evidence
5 of the maximum weight that can be maintained with safety to the
6 bridge or structure.

7 (Source: P.A. 93-177, eff. 7-11-03; 93-186, eff. 1-1-04;
8 93-1023, eff. 8-25-04; 94-464, eff. 1-1-06; 94-926, eff.
9 1-1-07.)

10 (625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

11 Sec. 15-301. Permits for excess size and weight.

12 (a) The Department with respect to highways under its
13 jurisdiction and local authorities with respect to highways
14 under their jurisdiction may, in their discretion, upon
15 application and good cause being shown therefor, issue a
16 special permit authorizing the applicant to operate or move a
17 vehicle or combination of vehicles of a size or weight of
18 vehicle or load exceeding the maximum specified in this Act or
19 otherwise not in conformity with this Act upon any highway
20 under the jurisdiction of the party granting such permit and
21 for the maintenance of which the party is responsible.
22 Applications and permits other than those in written or printed
23 form may only be accepted from and issued to the company or
24 individual making the movement. Except for an application to
25 move directly across a highway, it shall be the duty of the

1 applicant to establish in the application that the load to be
2 moved by such vehicle or combination is composed of a single
3 nondivisible object that cannot reasonably be dismantled or
4 disassembled. For the purpose of over length movements, more
5 than one object may be carried side by side as long as the
6 height, width, and weight laws are not exceeded and the cause
7 for the over length is not due to multiple objects. For the
8 purpose of over height movements, more than one object may be
9 carried as long as the cause for the over height is not due to
10 multiple objects and the length, width, and weight laws are not
11 exceeded. For the purpose of an over width movement, more than
12 one object may be carried as long as the cause for the over
13 width is not due to multiple objects and length, height, and
14 weight laws are not exceeded. No state or local agency shall
15 authorize the issuance of excess size or weight permits for
16 vehicles and loads that are divisible and that can be carried,
17 when divided, within the existing size or weight maximums
18 specified in this Chapter. Any excess size or weight permit
19 issued in violation of the provisions of this Section shall be
20 void at issue and any movement made thereunder shall not be
21 authorized under the terms of the void permit. In any
22 prosecution for a violation of this Chapter when the
23 authorization of an excess size or weight permit is at issue,
24 it is the burden of the defendant to establish that the permit
25 was valid because the load to be moved could not reasonably be
26 dismantled or disassembled, or was otherwise nondivisible.

1 (b) The application for any such permit shall: (1) state
2 whether such permit is requested for a single trip or for
3 limited continuous operation; (2) state if the applicant is an
4 authorized carrier under the Illinois Motor Carrier of Property
5 Law, if so, his certificate, registration or permit number
6 issued by the Illinois Commerce Commission; (3) specifically
7 describe and identify the vehicle or vehicles and load to be
8 operated or moved except that for vehicles or vehicle
9 combinations registered by the Department as provided in
10 Section 15-319 of this Chapter, only the Illinois Department of
11 Transportation's (IDT) registration number or classification
12 need be given; (4) state the routing requested including the
13 points of origin and destination, and may identify and include
14 a request for routing to the nearest certified scale in
15 accordance with the Department's rules and regulations,
16 provided the applicant has approval to travel on local roads;
17 and (5) state if the vehicles or loads are being transported
18 for hire. No permits for the movement of a vehicle or load for
19 hire shall be issued to any applicant who is required under the
20 Illinois Motor Carrier of Property Law to have a certificate,
21 registration or permit and does not have such certificate,
22 registration or permit.

23 (c) The Department or local authority when not inconsistent
24 with traffic safety is authorized to issue or withhold such
25 permit at its discretion; or, if such permit is issued at its
26 discretion to prescribe the route or routes to be traveled, to

1 limit the number of trips, to establish seasonal or other time
2 limitations within which the vehicles described may be operated
3 on the highways indicated, or otherwise to limit or prescribe
4 conditions of operations of such vehicle or vehicles, when
5 necessary to assure against undue damage to the road
6 foundations, surfaces or structures, and may require such
7 undertaking or other security as may be deemed necessary to
8 compensate for any injury to any roadway or road structure. The
9 Department shall maintain a daily record of each permit issued
10 along with the fee and the stipulated dimensions, weights,
11 conditions and restrictions authorized and this record shall be
12 presumed correct in any case of questions or dispute. The
13 Department shall install an automatic device for recording
14 applications received and permits issued by telephone. In
15 making application by telephone, the Department and applicant
16 waive all objections to the recording of the conversation.

17 (d) The Department shall, upon application in writing from
18 any local authority, issue an annual permit authorizing the
19 local authority to move oversize highway construction,
20 transportation, utility and maintenance equipment over roads
21 under the jurisdiction of the Department. The permit shall be
22 applicable only to equipment and vehicles owned by or
23 registered in the name of the local authority, and no fee shall
24 be charged for the issuance of such permits.

25 (e) As an exception to paragraph (a) of this Section, the
26 Department and local authorities, with respect to highways

1 under their respective jurisdictions, in their discretion and
2 upon application in writing may issue a special permit for
3 limited continuous operation, authorizing the applicant to
4 move loads of agricultural commodities on a 2 axle single
5 vehicle registered by the Secretary of State with axle loads
6 not to exceed 35%, on a 3 or 4 axle vehicle registered by the
7 Secretary of State with axle loads not to exceed 20%, and on a
8 5 axle vehicle registered by the Secretary of State not to
9 exceed 10% above those provided in Section 15-111. The total
10 gross weight of the vehicle, however, may not exceed the
11 maximum gross weight of the registration class of the vehicle
12 allowed under Section 3-815 or 3-818 of this Code.

13 As used in this Section, "agricultural commodities" means:

14 (1) cultivated plants or agricultural produce grown
15 including, but is not limited to, corn, soybeans, wheat,
16 oats, grain sorghum, canola, and rice;

17 (2) livestock, including but not limited to hogs,
18 equine, sheep, and poultry;

19 (3) ensilage; and

20 (4) fruits and vegetables.

21 Permits may be issued for a period not to exceed 40 days
22 and moves may be made of a distance not to exceed 50 miles from
23 a field, an on-farm grain storage facility, a warehouse as
24 defined in the Illinois Grain Code, or a livestock management
25 facility as defined in the Livestock Management Facilities Act
26 over any highway except the National System of Interstate and

1 Defense Highways. The operator of the vehicle, however, must
2 abide by posted bridge and posted highway weight limits. All
3 implements of husbandry operating under this Section between
4 sunset and sunrise shall be equipped as prescribed in Section
5 12-205.1.

6 (e-1) Upon a declaration by the Governor that an emergency
7 harvest situation exists, a special permit issued by the
8 Department under this Section shall not be required from
9 September 1 through December 31 during harvest season
10 emergencies, provided that the weight does not exceed 20% above
11 the limits provided in Section 15-111. All other restrictions
12 that apply to permits issued under this Section shall apply
13 during the declared time period. With respect to highways under
14 the jurisdiction of local authorities, the local authorities
15 may, at their discretion, waive special permit requirements
16 during harvest season emergencies. This permit exemption shall
17 apply to all vehicles eligible to obtain permits under this
18 Section, including commercial vehicles in use during the
19 declared time period.

20 (f) The form and content of the permit shall be determined
21 by the Department with respect to highways under its
22 jurisdiction and by local authorities with respect to highways
23 under their jurisdiction. Every permit shall be in written form
24 and carried in the vehicle or combination of vehicles to which
25 it refers and shall be open to inspection by any police officer
26 or authorized agent of any authority granting the permit and no

1 person shall violate any of the terms or conditions of such
2 special permit. Violation of the terms and conditions of the
3 permit shall not be deemed a revocation of the permit; however,
4 any vehicle and load found to be off the route prescribed in
5 the permit shall be held to be operating without a permit. Any
6 off route vehicle and load shall be required to obtain a new
7 permit or permits, as necessary, to authorize the movement back
8 onto the original permit routing. No rule or regulation, nor
9 anything herein shall be construed to authorize any police
10 officer, court, or authorized agent of any authority granting
11 the permit to remove the permit from the possession of the
12 permittee unless the permittee is charged with a fraudulent
13 permit violation as provided in paragraph (i). However, upon
14 arrest for an offense of violation of permit, operating without
15 a permit when the vehicle is off route, or any size or weight
16 offense under this Chapter when the permittee plans to raise
17 the issuance of the permit as a defense, the permittee, or his
18 agent, must produce the permit at any court hearing concerning
19 the alleged offense.

20 If the permit designates and includes a routing to a
21 certified scale, the permittee, while enroute to the designated
22 scale, shall be deemed in compliance with the weight provisions
23 of the permit provided the axle or gross weights do not exceed
24 any of the permitted limits by more than the following amounts:

25	Single axle	2000 pounds
26	Tandem axle	3000 pounds

1 Gross 5000 pounds

2 (g) The Department is authorized to adopt, amend, and to
3 make available to interested persons a policy concerning
4 reasonable rules, limitations and conditions or provisions of
5 operation upon highways under its jurisdiction in addition to
6 those contained in this Section for the movement by special
7 permit of vehicles, combinations, or loads which cannot
8 reasonably be dismantled or disassembled, including
9 manufactured and modular home sections and portions thereof.
10 All rules, limitations and conditions or provisions adopted in
11 the policy shall have due regard for the safety of the
12 traveling public and the protection of the highway system and
13 shall have been promulgated in conformity with the provisions
14 of the Illinois Administrative Procedure Act. The requirements
15 of the policy for flagmen and escort vehicles shall be the same
16 for all moves of comparable size and weight. When escort
17 vehicles are required, they shall meet the following
18 requirements:

19 (1) All operators shall be 18 years of age or over and
20 properly licensed to operate the vehicle.

21 (2) Vehicles escorting oversized loads more than
22 12-feet wide must be equipped with a rotating or flashing
23 amber light mounted on top as specified under Section
24 12-215.

25 The Department shall establish reasonable rules and
26 regulations regarding liability insurance or self insurance

1 for vehicles with oversized loads promulgated under The
2 Illinois Administrative Procedure Act. Police vehicles may be
3 required for escort under circumstances as required by rules
4 and regulations of the Department.

5 (h) Violation of any rule, limitation or condition or
6 provision of any permit issued in accordance with the
7 provisions of this Section shall not render the entire permit
8 null and void but the violator shall be deemed guilty of
9 violation of permit and guilty of exceeding any size, weight or
10 load limitations in excess of those authorized by the permit.
11 The prescribed route or routes on the permit are not mere
12 rules, limitations, conditions, or provisions of the permit,
13 but are also the sole extent of the authorization granted by
14 the permit. If a vehicle and load are found to be off the route
15 or routes prescribed by any permit authorizing movement, the
16 vehicle and load are operating without a permit. Any off route
17 movement shall be subject to the size and weight maximums,
18 under the applicable provisions of this Chapter, as determined
19 by the type or class highway upon which the vehicle and load
20 are being operated.

21 (i) Whenever any vehicle is operated or movement made under
22 a fraudulent permit the permit shall be void, and the person,
23 firm, or corporation to whom such permit was granted, the
24 driver of such vehicle in addition to the person who issued
25 such permit and any accessory, shall be guilty of fraud and
26 either one or all persons may be prosecuted for such violation.

1 Any person, firm, or corporation committing such violation
2 shall be guilty of a Class 4 felony and the Department shall
3 not issue permits to the person, firm or corporation convicted
4 of such violation for a period of one year after the date of
5 conviction. Penalties for violations of this Section shall be
6 in addition to any penalties imposed for violation of other
7 Sections of this Act.

8 (j) Whenever any vehicle is operated or movement made in
9 violation of a permit issued in accordance with this Section,
10 the person to whom such permit was granted, or the driver of
11 such vehicle, is guilty of such violation and either, but not
12 both, persons may be prosecuted for such violation as stated in
13 this subsection (j). Any person, firm or corporation convicted
14 of such violation shall be guilty of a petty offense and shall
15 be fined for the first offense, not less than \$50 nor more than
16 \$200 and, for the second offense by the same person, firm or
17 corporation within a period of one year, not less than \$200 nor
18 more than \$300 and, for the third offense by the same person,
19 firm or corporation within a period of one year after the date
20 of the first offense, not less than \$300 nor more than \$500 and
21 the Department shall not issue permits to the person, firm or
22 corporation convicted of a third offense during a period of one
23 year after the date of conviction for such third offense.

24 (k) Whenever any vehicle is operated on local roads under
25 permits for excess width or length issued by local authorities,
26 such vehicle may be moved upon a State highway for a distance

1 not to exceed one-half mile without a permit for the purpose of
2 crossing the State highway.

3 (l) Notwithstanding any other provision of this Section,
4 the Department, with respect to highways under its
5 jurisdiction, and local authorities, with respect to highways
6 under their jurisdiction, may at their discretion authorize the
7 movement of a vehicle in violation of any size or weight
8 requirement, or both, that would not ordinarily be eligible for
9 a permit, when there is a showing of extreme necessity that the
10 vehicle and load should be moved without unnecessary delay.

11 For the purpose of this subsection, showing of extreme
12 necessity shall be limited to the following: shipments of
13 livestock, hazardous materials, liquid concrete being hauled
14 in a mobile cement mixer, or hot asphalt.

15 (m) Penalties for violations of this Section shall be in
16 addition to any penalties imposed for violating any other
17 Section of this Code.

18 (n) The Department with respect to highways under its
19 jurisdiction and local authorities with respect to highways
20 under their jurisdiction, in their discretion and upon
21 application in writing, may issue a special permit for
22 continuous limited operation, authorizing the applicant to
23 operate a tow-truck that exceeds the weight limits provided for
24 in subsection (d) of Section 15-111, provided:

25 (1) no rear single axle of the tow-truck exceeds 26,000
26 pounds;

1 (2) no rear tandem axle of the tow-truck exceeds 50,000
2 pounds;

3 (2.1) no weight limit applies to a triple rear axle on
4 a manufactured recovery unit ~~exceeds 56,000 pounds;~~

5 (3) neither the towed ~~disabled~~ vehicle nor the ~~disabled~~
6 combination of vehicles exceed the weight restrictions
7 imposed by this Chapter 15, or the weight limits imposed
8 under a permit issued by the Department prior to hookup;

9 (4) the tow-truck prior to hookup does not exceed the
10 weight restrictions imposed by this Chapter 15;

11 (5) during the tow operation the tow-truck does not
12 violate any weight restriction sign;

13 (6) the tow-truck is equipped with flashing, rotating,
14 or oscillating amber lights, visible for at least 500 feet
15 in all directions;

16 (7) the tow-truck is specifically designed and
17 licensed as a tow-truck;

18 (8) the tow-truck has a gross vehicle weight rating of
19 sufficient capacity to safely handle the load;

20 (9) the tow-truck is equipped with air brakes;

21 (10) the tow-truck is capable of utilizing the lighting
22 and braking systems of the disabled vehicle or combination
23 of vehicles;

24 (11) the tow commences at the initial point of wreck or
25 disablement and terminates at a point where the repairs are
26 actually to occur;

1 (12) the permit issued to the tow-truck is carried in
2 the tow-truck and exhibited on demand by a police officer;
3 and

4 (13) the movement shall be valid only on state routes
5 approved by the Department.

6 (o) The Department, with respect to highways under its
7 jurisdiction, and local authorities, with respect to highways
8 under their jurisdiction, in their discretion and upon
9 application in writing, may issue a special permit for
10 continuous limited operation, authorizing the applicant to
11 transport raw milk that exceeds the weight limits provided for
12 in subsections (b) and (f) of Section 15-111 of this Code,
13 provided:

14 (1) no single axle exceeds 20,000 pounds;

15 (2) no gross weight exceeds 80,000 pounds;

16 (3) permits issued by the State are good only for
17 federal and State highways and are not applicable to
18 interstate highways; and

19 (4) all road and bridge postings must be obeyed.

20 (Source: P.A. 93-718, eff. 1-1-05; 93-971, eff. 8-20-04;
21 93-1023, eff. 8-25-04; revised 10-14-04.)